

## **Program B: Louisiana Indigent Defense Assistance Board**

Program Authorization: R.S. 15.151 et seq.

### **Program Description**

The mission of the Louisiana Indigent Defense Assistance Board is to coordinate and improve the public defender system through education, specialized training, technical assistance, sound financial and administrative guidelines, case assistance and managed resource allocation. The goals of the Louisiana Indigent Defense Assistance Board are:

1. Standardize workload and attorney support units on a statewide basis.
2. Provide quality legal representation in appellate practice by delivering well analyzed and argued appellate briefs and cogent, effective oral arguments on behalf of individual clients.
3. Provide trained, certified, effective counsel to indigent clients charged with a capital crime, appealing a capital conviction and pursuing post-conviction relief.
4. Improve the administrative oversight of attorneys and support staff employed to provide defense services to the program's clients.

The Louisiana Indigent Defender Board, an interim Board, was established by Supreme Court Rule XXXI upon the recommendation of an inter-branch task force composed of members from the legislative, executive and judicial branches. The Board, which was created under the judicial branch of state government, is composed of no less than seven and no more than 15 persons, appointed by the Chief Justice with concurrence of a majority of the Associate Justices. In addition to the necessary and usual powers of the board, the Supreme Court Rule charges the Board with certain responsibilities toward improving the administration of criminal justice in the arena of indigent defense. The Board had a sunset provision of December 31, 1997.

On January 1, 1998, R.S. 15:151 et seq. went into effect, establishing and empowering the Louisiana Indigent Defense Assistance Board (LIDAB), an independent agency of the Executive Branch. Act 10 of the 1998 Regular Legislative Session (General Appropriations Bill) transferred LIDAB to the Executive Office of the Governor as a separate program. The newly created board possesses the powers and duties of its previous board with added rule making authority. In addition, the power to appoint members was transferred to the governor (3 members and designate chairman), the president of the Senate (3 members), the speaker of the House of Representatives (3 members) and one voting member is appointed by each of the following: the Louisiana Association of Criminal Defense Lawyers, the Louisiana Public Defenders Association, and the Louisiana Trial Lawyers Association. The Louisiana Indigent Defense Assistance Board consists of the following activities: Juvenile Defender Program, Technical Assistance Program, Felony Appellate Program, and Capital Program.

## RESOURCE ALLOCATION FOR THE PROGRAM

	ACTUAL 2000-2001	ACT 12 2001-2002	EXISTING 2001-2002	CONTINUATION 2002-2003	RECOMMENDED 2002-2003	RECOMMENDED OVER/(UNDER) EXISTING
MEANS OF FINANCING:						
STATE GENERAL FUND (Direct)	\$7,556,811	\$7,807,734	\$7,807,734	\$7,827,327	\$7,805,836	(\$1,898)
STATE GENERAL FUND BY:						
Interagency Transfers	277,980	0	0	0	0	0
Fees & Self-gen. Revenues	0	0	0	0	0	0
Statutory Dedications	0	0	0	0	0	0
Interim Emergency Board	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
TOTAL MEANS OF FINANCING	<b>\$7,834,791</b>	<b>\$7,807,734</b>	<b>\$7,807,734</b>	<b>\$7,827,327</b>	<b>\$7,805,836</b>	<b>(\$1,898)</b>
EXPENDITURES & REQUEST:						
Salaries	\$232,250	\$234,807	\$185,000	\$192,400	\$192,400	\$7,400
Other Compensation	9,411	23,666	30,700	30,700	30,700	0
Related Benefits	42,300	40,313	42,551	44,253	44,253	1,702
Total Operating Expenses	74,325	102,220	101,950	103,941	101,950	0
Professional Services	0	21,000	21,000	21,000	21,000	0
Total Other Charges	7,470,436	7,369,228	7,415,533	7,415,533	7,415,533	0
Total Acq. & Major Repairs	6,069	16,500	11,000	19,500	0	(11,000)
TOTAL EXPENDITURES AND REQUEST	<b>\$7,834,791</b>	<b>\$7,807,734</b>	<b>\$7,807,734</b>	<b>\$7,827,327</b>	<b>\$7,805,836</b>	<b>(\$1,898)</b>
AUTHORIZED FULL-TIME						
EQUIVALENTS: Classified	0	0	0	0	0	0
Unclassified	5	5	5	5	5	0
<b>TOTAL</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>0</b>

## **SOURCE OF FUNDING**

This program is funded with State General Fund.

## MAJOR FINANCIAL CHANGES

GENERAL FUND	TOTAL	T.O.	DESCRIPTION
\$7,807,734	\$7,807,734	5	ACT 12 FISCAL YEAR 2001-2002
			BA-7 TRANSACTIONS:
\$0	\$0	0	None
\$7,807,734	\$7,807,734	5	EXISTING OPERATING BUDGET - December 20, 2001
\$9,102	\$9,102	0	Unclassified State Employees Merit Increases for FY 2002-2003
(\$11,000)	(\$11,000)	0	Non-Recurring Acquisitions & Major Repairs
\$7,805,836	\$7,805,836	5	TOTAL RECOMMENDED
\$0	\$0	0	LESS GOVERNOR'S SUPPLEMENTARY RECOMMENDATIONS
\$7,805,836	\$7,805,836	5	BASE EXECUTIVE BUDGET FISCAL YEAR 2002-2003
			SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON NEW REVENUE:
\$0	\$0	0	None
\$0	\$0	0	TOTAL SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON NEW REVENUE
\$7,805,836	\$7,805,836	5	GRAND TOTAL RECOMMENDED

## **PROFESSIONAL SERVICES**

\$10,000	Don Dovie - Funding to maintain and service the computers and network.
\$11,000	Allen & Gooch, LLC - Funding for the defense of a malpractice suit.
<b>\$21,000</b>	<b>TOTAL PROFESSIONAL SERVICES</b>

**OTHER CHARGES**

\$7,415,533 District Assistance Program (\$3,000,000), Felony Appellate Program (\$1,100,000), Capital Appellate Program (\$2,940,533), and the Juvenile Defender Program (\$375,000).

**\$7,415,533 SUB-TOTAL OTHER CHARGES**

**Interagency Transfers:**

\$0 None

**\$0 SUB-TOTAL INTERAGENCY TRANSFERS**

**\$7,415,533 TOTAL OTHER CHARGES**

## **ACQUISITIONS AND MAJOR REPAIRS**

This program does not have funding recommended for Acquisitions and Major Repairs for Fiscal Year 2002-2003.